

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Fertilizer Compositions For Administering Phosphates to Plants**, the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____ as
Application Serial No. _____
- ☐ and was amended on _____
(if applicable)
- ☐ with amendments through _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- ☒ no such applications have been filed
- ☐ such applications have been filed as follows:

Prior Foreign Application(s)
NONE

Priority
Claimed

(Number) (Country) (Day/Month/Year Filed) Yes No

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	Status - patented, pending, abandoned)

I hereby appoint the following attorneys and/or agents to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Floyd E. Ivey, Registration No. 35,552
Steven J. Staihar, Registration No. 43,930
Lori-Anne M. Mooney, Registration No. 44,949

Address all correspondence to:

Steven J. Staihar
Liebler, Ivey & Connor
P.O. Box 6125
Kennewick, WA 99336

Direct all phone calls to him/her at (509) 735-3581

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Express Mailing Label
#EE587029397US
PATENT
File No. P-1274-981

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
DAVID W. BERGEVIN) Our File No.: P-1274-991
For: FERTILIZER COMPOSITIONS)
FOR ADMINISTERING) Date: November 3, 1999
PHOSPHATES TO PLANTS)

JC678 U.S. PTO
09/434353
11/03/99

CERTIFICATE OF EXPRESS MAILING

Box PATENT APPLICATION
Assistant Commissioner of Patents and Trademarks
Washington DC 20231

Dear Sir:

The undersigned hereby certifies that the attached:

☒ Small Entity

is being deposited with the United States Postal Service as:

☒ Express Mail - Label #EE587029397US

in an envelope addressed to Box PATENT APPLICATION, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date set forth below.

Virginia McIntyre
Signature
Virginia McIntyre

November 3, 1999
Date

Steven J. Staihar
Liebler, Ivey & Connor
Attorneys at Law
P. O. Box 6125
Kennewick, WA 99336
(509) 735-3581

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: David W. Bergevin

Serial or Patent No.: _____

Filed or Issued: _____

For: Fertilizer Compositions For Administering Phosphates to Plants

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR)**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled **Fertilizer Compositions For Administering Phosphates to Plants** described in

- ☒ the specification filed herewith.
- ☐ application serial no. _____, filed _____
- ☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☒ no such person, concern or organization
- ☐ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

Full Name: NONE

Address: _____

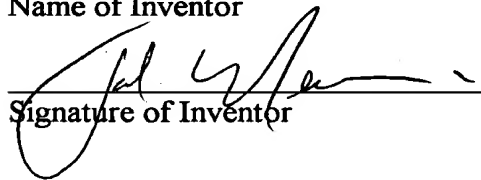
☐ Individual ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

David W. Bergevin

Name of Inventor


Signature of Inventor

Date: 11/3/99

306 N. Montana Court, Kennewick, WA 99336

Address of Person Signing

